



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

RAYMOND G. FORTNER, JR.
County Counsel

January 4, 2006

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Agenda No. 4
10/25/05

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

**Re: LOCAL PLAN AMENDMENT NUMBER 90-184-(4)
FOURTH SUPERVISORIAL DISTRICT/THREE-VOTE MATTER**

Dear Supervisors:


Your Board previously conducted a hearing regarding the above-referenced local plan amendment which proposes a reclassification of property from "Open Space" to "Urban" in the Rowland Heights Community General Plan for a proposed residential development at the terminus of Hastings Street in the Puente Zoned District. At the conclusion of the hearing, you indicated an intent to deny the local plan amendment and instructed us to prepare the necessary resolution. Enclosed is a resolution for denial for your consideration.

Very truly yours,

RAYMOND G. FORTNER, JR.
County Counsel

By 
RICHARD D. WEISS
Assistant County Counsel
Property Division

APPROVED AND RELEASED:


RAYMOND G. FORTNER, JR.
County Counsel

RDW/

Enclosures

HOA.338086.1

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES
RELATING TO LOCAL PLAN AMENDMENT NO. 90-184-(4)**

WHEREAS, Article 6 of Chapter 3 of Division 1 of Title 7 of the Government Code of the State of California (commencing with section 65350) provides for adoption of amendments to county general plans; and

WHEREAS, the Los Angeles County Board of Supervisors ("Board") conducted a duly noticed public hearing on Local Plan Amendment No. 90-184-(4) on October 25, 2005. The Regional Planning Commission ("Commission") previously conducted its public hearing on this matter on October 31, 2001, January 23, 2002, April 3, 2002, and July 10, 2002; and

WHEREAS, the Board of Supervisors finds as follows:

1. The subject property is a 170.45-acre parcel located at the terminus of Hastings Street, south of Pathfinder Road and southwesterly of Brea Canyon Cut-Off Road, in the Puente Zoned District of Los Angeles County.
2. Local Plan Amendment No. 90-184-(4) is a proposal to amend the land use policy map of the Rowland Heights Community General Plan to change the land use classification for 30.5 acres of the subject property from Open Space ("OS") to Urban 1 ("U1").
3. The Rowland Heights Community General Plan provides that amendments to the Plan may be initiated only by the Commission or the Board. On January 19, 1994, the Commission initiated Local Plan Amendment No. 90-184-(4) and directed that the proposed community plan amendment be scheduled for public hearing concurrently with the related subdivision, conditional use permit, and oak tree permit applications for development of the subject property.
4. Local Plan Amendment No. 90-184-(4) was heard concurrently with Vesting Tentative Tract Map No. 49411, Conditional Use Permit Case No. 90-184-(4), and Oak Tree Permit Case No. 90-184-(4) at the public hearing on October 31, 2001, January 23, 2002, April 3, 2002, and July 10, 2002.
5. Tentative Tract Map ("TTM") No. 49411 is a related request to create 55 single-family lots, two open space lots, and one street lot on approximately 170.45 acres. Conditional Use Permit Case No. 90-184-(4) is a related request to ensure compliance with criteria for development in hillside management areas and for density-controlled development. Oak Tree Permit Case No. 90-184-(4) is a related request to authorize the removal of 288 oak trees, including five heritage oak trees.

6. The map and site plan submitted by the applicant for the tentative tract map and conditional use permit depict 55 single-family lots, two open space lots, and one street lot. Subsequent revised conceptual plans submitted to the Commission and discussed at the Board depict 43 single-family residential lots. The residential lots would take access from Hastings Street, a 64-foot-wide private and future street, through an access agreement with the adjacent Ridgemoor Homeowners' Association. The single-family lots would be served by 60-foot-wide private and future cul-de-sac streets. Lot sizes range from 16,000 square feet to three acres, with an average lot size of 40,000 square feet. Residential development would occur in the southwest portion of the subject property with a total development footprint of approximately 31.75 acres. The remaining 138.5 acres would be divided into two open space lots.
7. The subject property is zoned A-1-15,000 (Light Agricultural - 15,000 square feet minimum lot size). Surrounding zoning is R-1-10,000 and A-1-15,000 to the north, A-1-15,000 to the east, A-1-5 and A-2-1 to the south, and R-1-10,000 with small areas zoned OS and Residential Planned Development ("RPD")-1-4U to the west.
8. The subject property is irregular in shape with hilly topography and natural slopes of 25 percent or greater. The slope map for the property indicates that approximately 25 percent of the site contains slopes of 0-25 percent, approximately 65 percent contains slopes of 25-50 percent, and nine percent contains slopes greater than 50 percent.
9. Current uses on the site include cattle and horse grazing, stables, and informal recreational activities including equestrian and hiking activities in the central and eastern portions of the site. During the public hearing conducted by the Commission, it was discovered that the private equestrian facilities on the site are being operated in violation of Title 22 (Zoning Ordinance) of the Los Angeles County Code.
10. The area surrounding the subject property consists of single-family residences and a neighborhood park to the north, single-family residences to the east and west, and vacant land and Significant Ecological Area No. 15 to the south.
11. The project site is a portion of an earlier subdivision, TTM No. 34146, which was approved by the Commission in 1984. The subdivision created 265 single-family lots and one 170.45-acre open space lot on 285 acres. The subject property is a 170.45-acre open space lot (Lot No. 266). The conditions of approval of TTM No. 34146 provided for the permanent restriction of Lot No. 266 as open space. Conditions 23 through 25 of TTM 34146 state: "Provide for a north-south riding and hiking trail across open space Lot No. 266 to the satisfaction of the County Department of Parks and Recreation." Provide for the ownership and maintenance of the open space lot (Lot No. 266) to the satisfaction of the Department of

Regional Planning. As agreed, dedicate on the final map the right to restrict the construction of residential and commercial structures to the County of Los Angeles over the open space lots.

12. Condition 15 of TTM No. 34146 permitted the filing of large lot parcel maps (20 acres or more each) to allow project development in phases. In 1985, one such parcel map, Parcel Map No. 15292, was recorded, creating six lots. Lot No. 266 of TTM No. 34146 was at this time designated Lot No. 6 of Parcel Map No. 15292, consisting of the involved 170.45 acres. The subject property is Lot No. 6 of Parcel Map No. 15292. Parcel Map No. 15292 was recorded with the following restriction: "We hereby dedicate to the County of Los Angeles the right to prohibit the construction of residential buildings within Lot 6." Lot 6 also contains a note of building restriction due to geological constraints. The restriction on development within Lot No. 6 was required to satisfy the conditions imposed on Lot No. 266 of TTM No. 34146.
13. As shown in Assessor Map Book No. 8269-044, the subject property includes a note restricting construction of commercial and residential buildings as a result of the aforementioned restriction.
14. An Initial Study was prepared for this project and circulated for public review in compliance with the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles ("County CEQA Guidelines"). The Initial Study concluded that there was substantial evidence that the project may have a significant impact on the environment and determined that an Environmental Impact Report ("EIR") would be required.
15. The Draft EIR prepared for this project identified the following potentially significant environmental impacts of the project: geotechnical hazards, flood hazard, fire hazard, biota, traffic, education, and grading. The Draft EIR concluded that all potentially significant environmental impacts of the project could be mitigated and avoided or reduced to a level of insignificance.
16. At the Commission's public hearing, oral and written testimony was received regarding the proposed local plan amendment and other aspects of the proposal. Adjacent property owners expressed concerns about loss of the open space designation of a portion of the project site and the project's potential impacts on traffic and safety. Representatives of the Rowland Heights Coordinating Council and WICCA, a wildlife resource conservation agency, expressed concerns about the loss of open space and previous dedication of construction rights on the subject property.
17. This site is a major component of the view shed afforded to the residentially-developed properties on the north, and portions of the subject property are visible from many locations in the Rowland Heights area.

18. The Rowland Heights Community General Plan designates 1.25 acres of the project site at the northern boundary of the property as U1 and the remaining 169.25 acres as OS. The open space land use designation is intended to protect natural landforms, riparian corridors, and primary view sheds. Acceptable uses include passive recreation, riding and hiking trails, scientific study, and oil production. Residential uses are not permitted in the OS category.
19. Since the proposed residential development is not consistent with the property's OS designation, the proposed community plan amendment from the open space category to a residential category is necessary to authorize the proposed use of the subject property.
20. At its hearing the Board received oral and written testimony for and against the proposal. Opponents expressed concerns regarding traffic and excessive oak tree removal, as well as concerns over the loss of potential open space that had been committed to the community by both the developer and the County. The applicant indicated that it was prepared to provide community enhancements and additional open space near the project site if the proposal was approved. The applicant stressed that its proposal would result in the existing open space being transferred from private to public ownership and that 50 percent of the overall property contained in TTM No. 34146 would still remain as open space even with the implementation of its proposal.
21. The Board finds that Local Plan Amendment No. 90-184-(4), to change the OS land use designation to U1 on 30.5 acres of the subject property, is inconsistent with the goals and policies of the Rowland Heights Community General Plan. The Plan states, "The areas designated as "Open Space" are intended to remain undeveloped for the life of the plan." The proposed amendment would also impact a regional wildlife corridor which would be contrary to the Rowland Heights Community General Plan objective to "achieve meaningful habitat preservation and to preserve an open space corridor of regional significance." The Board finds that to convert the existing open space to a residential use would be inconsistent with the commitment made at the time TTM No. 34146 was approved to retain the subject property as open space.
22. The Board also finds that there is insufficient evidence submitted to substantiate that a revision in the land use designation of the subject property is warranted.
23. The Board finds that the subject property is not a proper location for the proposed urban residential land use classification and the proposed community plan amendment would not be in the interest of public health, safety, and general welfare, and in conformity with good planning practice.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF SUPERVISORS denies
Local Plan Amendment No. 90-184-(4).

The foregoing resolution was on the ____ of _____, 2006, adopted
by the Board of Supervisors of the County of Los Angeles and ex officio the
governing body of all other special assessment and taxing districts,
agencies, and authorities for which said board so acts.

VIOLET VARONA-LUKENS, Executive Officer
Clerk of the board of Supervisors of the County
of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

By 
Deputy



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Agenda No. 4
10/25/05

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

**Re: CONDITIONAL USE PERMIT NUMBER 90-184-(4)
OAK TREE PERMIT NUMBER 90-184-(4)
FOURTH SUPERVISORIAL DISTRICT/THREE-VOTE MATTER**

Dear Supervisors:

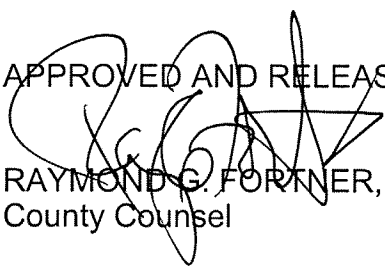
Your Board previously conducted a hearing regarding the above-referenced permits which propose a residential housing tract and the removal of oak trees on 170.45 acres at the terminus of Hastings Street in the Puente Zoned District. At the conclusion of the hearing, you indicated an intent to deny the permits and instructed us to prepare the necessary findings. Enclosed are denial findings for your consideration.

Very truly yours,

RAYMOND G. FORTNER, JR.
County Counsel

By 
RICHARD D. WEISS
Assistant County Counsel
Property Division

APPROVED AND RELEASED:


RAYMOND G. FORTNER, JR.
County Counsel

RDW/

Enclosures

HOA.338141.1

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
CONDITIONAL USE PERMIT NO. 90-184-(4)
OAK TREE PERMIT NO. 90-184-(4)**

1. The Los Angeles County Board of Supervisors ("Board") conducted a duly noticed public hearing on Conditional Use Permit No. 90-184-(4) and Oak Tree Permit No. 90-184-(4) on October 25, 2005. The Regional Planning Commission ("Commission") previously conducted its public hearing on these applications on October 31, 2001, January 23, 2002, April 3, 2002, and July 10, 2002.
2. The subject property is a 170.45-acre parcel located at the terminus of Hastings Street, south of Pathfinder Road and southwesterly of Brea Canyon Cut-Off Road, in the Puente Zoned District of Los Angeles County.
3. The applicant is proposing to construct a residential development and remove a number of oak trees on the subject property.
4. This conditional use permit is requested to ensure compliance with criteria for hillside management areas and for density-controlled development. The proposed density-controlled development authorizes lots to have minimum areas less than 15,000 square feet. The size of the proposed residential lots range from 10,456 square feet to 137,524 square feet, with the majority in the 15,000 to 25,000-square-foot range. The average lot size is 40,000 square feet.
5. The oak tree permit is requested to authorize the removal of 288 oak trees, including five heritage oak trees. A total of 754 oak trees exist within the development area of the subject property and were surveyed as part of the Oak Tree report prepared for the project. It is estimated that several thousand oak trees exist on the entire 170-acre site.
6. These applications were heard concurrently with Local Plan Amendment Case No. 90-184-(4) and Vesting Tentative Tract Map No. 49411.
7. Local Plan Amendment No. 90-184-(4) is a proposal to amend the land use policy map of the Rowland Heights Community General Plan to change the land use classification for 30.5 acres of the subject property from Open Space ("OS") to Urban 1 ("U1").
8. The Rowland Heights Community General Plan provides that amendments to that plan may be initiated only by the Commission or the Board. On January 19, 1994, the Commission initiated Local Plan Amendment Case No. 90-184-(4) and directed that the proposed community plan amendment be

scheduled for public hearing concurrently with the related subdivision, conditional use permit, and oak tree permit applications for development of the subject property.

9. The conditional use permit application to permit the residential development proposal could not be approved without the Board's approval of the aforementioned local plan amendment. Likewise, absent approval of the local plan amendment, the oak tree permit would not be appropriately granted since the removal of the oak trees is claimed to be necessary to implement the residential proposal.
10. Tentative Tract Map No. 49411 is a related request to create 55 single-family lots, two open space lots and one street lot on approximately 170.45 acres.
11. The map and site plan submitted by the applicant for the tentative tract map and conditional use permit depict 55 single-family lots, two open space lots, and one street lot. Subsequent revised conceptual plans submitted to the Commission and discussed at the Board depict 43 single-family residential lots. The residential lots would take access from Hastings Street, a 64-foot-wide private and future street, through an access agreement with the adjacent Ridgemoor Homeowners' Association. The single-family lots would be served by 60-foot-wide private and future cul-de-sac streets. Lot sizes range from 16,000 square feet to three acres, with an average lot size of 40,000 square feet. Residential development would occur in the southwest portion of the subject property with a total development footprint of approximately 31.75 acres. The remaining 138.5 acres would be divided into two open space lots.
12. The subject property is zoned A-1-15,000 (Light Agricultural - 15,000 square feet minimum lot size). Surrounding zoning is R-1-10,000 and A-1-15,000 to the north, A-1-15,000 to the east, A-1-5 and A-2-1 to the south, and R-1-10,000 with small areas zoned OS and Residential Planned Development to the west.
13. The subject property is irregular in shape with hilly topography and natural slopes of 25 percent or greater. The slope map for the property indicates that approximately 25 percent of the site contains slopes of 0-25 percent, approximately 65 percent contains slopes of 25-50 percent, and nine percent contains slopes greater than 50 percent.
14. Current uses on the site include cattle and horse grazing, stables, and informal recreational activities including equestrian and hiking activities in the central and eastern portions of the site. During the public hearing conducted by the Commission, it was discovered that the private equestrian facilities on the site were being operated in violation of Title 22 (Zoning Ordinance) of the Los Angeles County Code.

15. The area surrounding the subject property consists of single-family residences and a neighborhood park to the north, single-family residences to the east and west, and vacant land and Significant Ecological Area No. 15 to the south.
16. The project site is a portion of an earlier subdivision, Tentative Tract Map ("TTM") No. 34146, which was approved by the Commission in 1984. The subdivision created 265 single-family lots and one 170.45-acre open space lot on 285 acres. The subject property is a 170.45-acre open space lot (Lot No. 266). The conditions of approval of TTM No. 34146 provided for the permanent restriction of Lot No. 266 as open space. Conditions 23 through 25 of TTM No. 34146 state: "Provide for a north-south riding and hiking trail across open space Lot No. 266 to the satisfaction of the County Department of Parks and Recreation. Provide for the ownership and maintenance of the open space lot (Lot No. 266) to the satisfaction of the Department of Regional Planning. As agreed, dedicate on the final map the right to restrict the construction of residential and commercial structures to the County of Los Angeles over the open space lots."
17. Condition 15 of TTM No. 34146 permitted the filing of large lot parcel maps (20 acres or more each) to allow project development in phases. In 1985, one such parcel map, Parcel Map No. 15292, was recorded, creating six lots. Lot No. 266 of TTM No. 34146 was at this time designated Lot No. 6 of Parcel Map No. 15292, consisting of the involved 170.45 acres. The subject property is Lot No. 6 of Parcel Map No. 15292. Parcel Map No. 15292 was recorded with the following restriction: "We hereby dedicate to the County of Los Angeles the right to prohibit the construction of residential buildings within Lot 6." Lot 6 also contains a note of building restriction due to geological constraints. The restriction on development within Lot No. 6 was required to satisfy the conditions imposed on Lot No. 266 of TTM No. 34146.
18. As shown in Assessor Map Book No. 8269-044, the subject property includes a note restricting construction of commercial and residential buildings as a result of the aforementioned restriction.
19. An Initial Study was prepared for this project and circulated for public review in compliance with the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles ("County CEQA Guidelines"). The Initial Study concluded that there was substantial evidence that the project may have a significant impact on the environment and determined that an Environmental Impact Report ("EIR") would be required.

20. The Draft EIR prepared for this project identified the following potentially significant environmental impacts of the project: geotechnical hazards, flood hazard, fire hazard, biota, traffic, education, and grading. The Draft EIR concluded that all potentially significant environmental impacts of the project could be mitigated and avoided or reduced to a level of insignificance.
21. At the Commission's public hearing, oral and written testimony was received regarding the proposed local plan amendment and other aspects of the proposal. Adjacent property owners expressed concerns about loss of the open space designation of a portion of the project site and the project's potential impacts on traffic and safety. Representatives of the Rowland Heights Coordinating Council and WICCA, a wildlife resource conservation agency, expressed concerns about the loss of open space and previous dedication of construction rights on the subject property.
22. This site is a major component of the view shed afforded to the residentially-developed properties on the north, and portions of the subject property are visible from many locations in the Rowland Heights area.
23. The Rowland Heights Community General Plan designates 1.25 acres of the project site at the northern boundary of the property as U1 and the remaining 169.25 acres as OS. The open space land use designation is intended to protect natural landforms, riparian corridors, and primary view sheds. Acceptable uses include passive recreation, riding and hiking trails, scientific study, and oil production. Residential uses are not permitted in the OS category.
24. Since the proposed residential development is not consistent with the property's OS designation, the proposed community plan amendment from the open space category to a residential category would be required to authorize the proposed use of the subject property.
25. At its hearing the Board received oral and written testimony for and against the proposal. Opponents expressed concerns regarding traffic and excessive oak tree removal, as well as concerns over the loss of potential open space that had been committed to the community by both the developer and the County. The applicant indicated that it was prepared to provide community enhancements and additional open space near the project site if the proposal was approved. The applicant stressed that its proposal would result in the existing open space being transferred from private to public ownership and that 50 percent of the overall property contained in TTM No. 34146 would still remain as open space even with the implementation of its proposal.

26. The Board finds that Local Plan Amendment Case No. 90-184-(4), to change the OS land use designation to U1 on 30.5 acres of the subject property, is inconsistent with the goals and policies of the Rowland Heights Community General Plan. The Plan states, "The areas designated as "Open Space" are intended to remain undeveloped for the life of the plan." The proposed amendment would also impact a regional wildlife corridor which would be contrary to the Rowland Heights Community General Plan objective to "achieve meaningful habitat preservation and to preserve an open space corridor of regional significance." The Board finds that to convert the existing open space to a residential use would be inconsistent with the commitment made at the time TTM No. 34146 was approved to retain the subject property as open space.
27. The Board also finds that there was insufficient evidence submitted to substantiate that a revision in the land use designation of the subject property is warranted.
28. The Board finds that the subject property is not a proper location for the proposed urban residential land use classification and the proposed community plan amendment would not be in the interest of public health, safety, and general welfare, and in conformity with good planning practice.
29. Absent a local plan amendment to redesignate the portion of the subject property proposed for residential development from an open space to a residential classification, the proposal cannot be found consistent with the adopted general plan for the area.

BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES:

- A. That the proposed use is not consistent with the adopted general plan for the area;
- B. That the requested use at the proposed location will adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will jeopardize, endanger, or otherwise constitute a menace to the public health, safety, and general welfare;
- C. That the proposed project is not compatible with the natural biotic, cultural, scenic, and open space resources of the area; and

- D. That the removal of the oak trees proposed is not necessary as their continued existence at their present locations does not frustrate the currently authorized use of the subject property in light of the Board's action on related Local Plan Amendment No. 90-184-(4).

THEREFORE, THE BOARD OF SUPERVISORS, denies Conditional Use Permit No. 90-184-(4) and Oak Tree Permit No. 90-184-(4).



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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RAYMOND G. FORTNER, JR.
County Counsel

January 4, 2006

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Agenda No. 4
10/25/05

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

**Re: VESTING TENTATIVE TRACT MAP NUMBER 49411
FOURTH SUPERVISORIAL DISTRICT/THREE-VOTE MATTER**

Dear Supervisors:

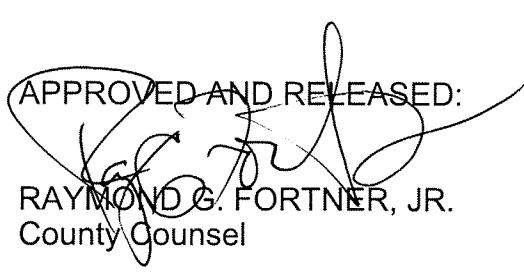
Your Board previously conducted a hearing regarding the above-referenced application which proposes a residential subdivision on a portion of a 170.45 acre parcel at the terminus of Hastings Street in the Puente Zoned District. At the conclusion of the hearing, you indicated an intent to deny the subdivision and instructed us to prepare the necessary findings. Enclosed are denial findings for your consideration.

Very truly yours,

RAYMOND G. FORTNER, JR.
County Counsel

By 
RICHARD D. WEISS
Assistant County Counsel
Property Division

APPROVED AND RELEASED:


RAYMOND G. FORTNER, JR.
County Counsel

RDW/

Enclosures

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
VESTING TENTATIVE TRACT MAP NO. 49411**

1. The Los Angeles County Board of Supervisors ("Board") conducted a duly noticed public hearing on Vesting Tentative Tract Map No. 49411 on October 25, 2005. The Regional Planning Commission ("Commission") previously conducted its public hearing on this proposed subdivision on October 31, 2001, January 23, 2002, April 3, 2002, and July 10, 2002.
2. The subject property is a 170.45-acre parcel located at the terminus of Hastings Street, south of Pathfinder Road and southwesterly of Brea Canyon Cut-Off Road, in the Puente Zoned District of Los Angeles County.
3. The tentative map request is to create 55 single-family lots, two open space lots, and one street lot on approximately 170.45 acres.
4. This application was heard concurrently with Local Plan Amendment No. 90-184-(4), Conditional Use Permit Case No. 90-184-(4), and Oak Tree Permit No. 90-184-(4).
5. Local Plan Amendment No. 90-184-(4) is a proposal to amend the land use policy map of the Rowland Heights Community General Plan to change the land use classification for 30.5 acres of the subject property from Open Space ("OS") to Urban 1 ("U1").
6. The Rowland Heights Community General Plan provides that amendments to that plan may be initiated only by the Commission or the Board. On January 19, 1994, the Commission initiated Local Plan Amendment No. 90-184-(4) and directed that the proposed community plan amendment be scheduled for public hearing concurrently with the related subdivision, conditional use permit, and oak tree permit applications for development of the subject property.
7. Vesting Tentative Tract Map No. 49411 can not be approved unless and until the Board adopts the proposed Local Plan Amendment No. 90-184-(4).
8. Conditional Use Permit No. 90-184-(4) is a related request to ensure compliance with criteria for hillside management areas and for density-controlled development. The proposed density controlled development authorizes lots to have minimum areas less than 15,000 square feet. The size of the proposed residential lots range from 10,456 square feet to 137,524 square feet, with the majority in the 15,000 to 25,000 square foot range. The average lot size is 40,000 square feet.

9. Oak Tree Permit Case No. 90-184-(4) is a related request to authorize the removal of 288 oak trees, including five heritage oak trees. Four oak trees would remain within the 31.75-acre development footprint. A total of 754 oak trees exist within the proposed development area of the subject property and were surveyed as part of the Oak Tree report prepared for the project. It is estimated that up to several thousand oak trees exist on the entire 170 acre site.
10. The tentative map and site plan submitted by the applicant for the tentative tract map and conditional use permit depict 55 single-family lots, two open space lots, and one street lot. Subsequent revised conceptual plans submitted at the Commission's request depict forty-three (43) single-family residential lots. The residential lots take access from Hastings Street, a 64-foot wide private and future street, through an access agreement with the adjacent Ridgemoor Homeowners Association. The single-family lots are served by 60-foot wide private and future cul-de-sac streets. Lot sizes range from 16,000 square feet to three acres, with an average lot size of 40,000 square feet. Residential development would occur in the southwest portion of the subject property with a total development footprint of approximately 31.75 acres. The remaining 138.5 acres would be divided into two open space lots.
11. The subject property is currently zoned A-1-15,000 (Light Agricultural - 15,000 square feet minimum lot size). Surrounding zoning is R-1-10,000 and A-1-15,000 to the north, A-1-15,000 to the east, A-1-5 and A-2-1 to the south, and R-1-10,000 with small portions of OS and Residential Planned Development to the west.
12. The subject property is irregular in shape with hilly topography and natural slopes of 25 percent or greater. The slope map for the property indicates that approximately 25 percent of the site contains slopes of 0-25 percent, approximately 65 percent contains slopes of 25-50 percent, and nine percent contains slopes greater than 50 percent.
13. Current uses on the site include cattle and horse grazing, stables, and informal recreational activities including equestrian and hiking activities in the central and eastern portions of the site. During the public hearing conducted by the Commission, it was discovered that the private equestrian facilities on the site were being operated in violation of Title 22 (Zoning Ordinance) of the Los Angeles County Code.
14. The area surrounding the subject property consists of single-family residences and a neighborhood park to the north, single-family residences to the east and west, and vacant land and Significant Ecological Area No.15 to the south.

15. The project site is a portion of an earlier subdivision, Tentative Tract Map ("TTM") No. 34146, which was approved by the Commission in 1984. The subdivision created 265 single-family lots and one 170.45-acre open space lot on 285 acres. The subject property is a 170.45-acre open space lot (Lot No. 266). The conditions of approval of TTM No. 34146 provided for the permanent restriction of Lot No. 266 as open space. Conditions 23 through 25 of TTM No. 34146 state: "Provide for a north-south riding and hiking trail across open space Lot No. 266 to the satisfaction of the County Department of Parks and Recreation. Provide for the ownership and maintenance of the open space lot (Lot No. 266) to the satisfaction of the Department of Regional Planning. As agreed, dedicate on the final map the right to restrict the construction of residential and commercial structures to the County of Los Angeles over the open space lots.
16. Condition 15 of TTM No. 34146 permitted the filing of large lot parcel maps (20 acres or more each) to allow project development in phases. In 1985, one such parcel map, Parcel Map No. 15292, was recorded, creating six lots. Lot No. 266 of TTM No. 34146 was at this time designated Lot No. 6 of Parcel Map No. 15292, consisting of the involved 170.45 acres. The subject property is Lot No. 6 of Parcel Map No. 15292. Parcel Map No. 15292 was recorded with the following restriction: "We hereby dedicate to the County of Los Angeles the right to prohibit the construction of residential buildings within Lot No. 6." Lot No. 6 also contains a note of building restriction due to geological constraints. The restriction on development within Lot No. 6 was required to satisfy the conditions imposed on Lot No. 266 of TTM No. 34146.
17. As shown in Assessor Map Book No. 8269-044, the subject property includes a note restricting construction of commercial and residential buildings as a result of the aforementioned restriction.
18. An Initial Study was prepared for this project and circulated for public review in compliance with the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles ("County CEQA Guidelines"). The Initial Study concluded that there was substantial evidence that the project may have a significant impact on the environment and determined that an Environmental Impact Report ("EIR") would be required.
19. The Draft EIR prepared for this project identified the following potentially significant environmental impacts of the project: geotechnical hazards, flood hazard, fire hazard, biota, traffic, education, and grading. The Draft EIR concluded that all potentially significant environmental impacts of the project could be mitigated and avoided or reduced to a level of insignificance.

20. At the Commission's public hearing, oral and written testimony was received regarding the proposed local plan amendment and other aspects of the proposal. Adjacent property owners expressed concerns about loss of the open space designation of a portion of the project site and the project's potential impacts on traffic and safety. Representatives of the Rowland Heights Coordinating Council and WICCA, a wildlife resource conservation agency, expressed concerns about the loss of open space and previous dedication of construction rights on the subject property.
21. This site is a major component of the view shed afforded to the residentially developed properties on the north, and portions of the subject property are visible from many locations in the Rowland Heights area.
22. The site contains tributaries to San Jose Creek. Three of the 13 streams which exist on the property are designated intermittent blueline streams.
23. The Rowland Heights Community General Plan designates 1.25 acres of the project site at the northern boundary of the property as U1 and the remaining 169.25 acres as OS. The open space land use designation is intended to protect natural landforms, riparian corridors, and primary view sheds. Acceptable uses include passive recreation, riding and hiking trails, scientific study, and oil production. Residential uses are not permitted in the OS category.
24. Since the proposed residential development is not consistent with the property's OS designation, the proposed community plan amendment from the open space category to a residential category is necessary to authorize the proposed residential use of the subject property.
25. At its hearing the Board received oral and written testimony for and against the proposal. Opponents expressed concerns regarding traffic and excessive oak tree removal, as well as concerns over the loss of potential open space that had been committed to the community by both the developer and the County. The applicant indicated that it was prepared to provide community enhancements and additional open space near the project site if the proposal was approved. The applicant stressed that its proposal would result in the existing open space being transferred from private to public ownership and that 50 percent of the overall property contained in TTM No. 34146 would still remain as open space even with the implementation of its proposal.
26. The Board finds that Local Plan Amendment Case No. 90-184-(4), to change the OS land use designation to U1 on 30.5 acres of the subject property, is inconsistent with the goals and policies of the Rowland Heights Community General Plan. The Plan states, "The areas designated as "Open Space" are intended to remain undeveloped for the life of the plan." The proposed

amendment would also impact a regional wildlife corridor which would be contrary to the Rowland Heights Community General Plan objective to "achieve meaningful habitat preservation and to preserve an open space corridor of regional significance." The Board finds that to convert the existing open space to a residential use would be inconsistent with the commitment made at the time TTM No. 34146 was approved to retain the subject property as open space.

27. The right to construct residential or commercial structures on the subject property was dedicated through the conditions of approval of TTM No. 34146 and as depicted on Parcel Map No. 15292. Therefore, no further subdivision of the property to facilitate the construction of residences on the subject property is appropriate without removal of the restriction.
28. The Board also finds that there was insufficient evidence submitted to substantiate that a revision in the land use designation of the subject property is warranted.
29. The Board finds that the subject property is not a proper location for the proposed urban residential land use classification and the proposed community plan amendment would not be in the interest of public health, safety, and general welfare, and in conformity with good planning practice.
30. The Board finds that the proposed subdivision and the provision for its design and improvement are not consistent with the density, goals, and policies of the General Plan and the Rowland Heights Community Plan. The OS land use category of the Rowland Heights Community Plan is designed to protect natural landforms, riparian corridors, and primary viewsheds. The Board finds that the proposed residential use of the subject property is not consistent with the stated purposes of the OS category as referenced above.
31. The Board finds that the site is not physically suitable for the type of development proposed.
32. Pursuant to section 66478.1 through 66478.4 of the California Government Code (Subdivision Map Act), the proposed subdivision does not contain or front upon any public waterway, river, stream, coastline, shoreline, lake, or reservoir.
33. The housing and employment needs of the region were considered and balanced against the public service needs of local residents and available fiscal and environmental resources when this project was determined not to be consistent with the General Plan and Rowland Heights Community Plan.

THEREFORE, THE BOARD OF SUPERVISORS denies Vesting Tentative Tract Map No. 49411.